

DISPOSITION: March 20, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

17309. Adulteration and misbranding of sorghum sirup. U. S. v. 410 Cans * * *.
(F. D. C. No. 30632. Sample No. 31056-L.)

LIBEL FILED: February 13, 1951, Western District of Tennessee; amended libel filed February 19, 1951.

ALLEGED SHIPMENT: On or about January 10, 1951, by M. P. Amis, from Conehatta, Miss.

PRODUCT: 410 4½-pound cans of sorghum sirup at Milan, Tenn.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of sorghum, corn sirup, and sugar had been substituted in whole or in part for sorghum.

Misbranding, Section 403 (b), the product was offered for sale under the name of another food, namely, sorghum; Sections 403 (e) (1) and (2), the product was food in package form, and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (i) (2), the product was fabricated from two or more ingredients, and it failed to bear a label containing the common or usual name of each ingredient.

DISPOSITION: March 27, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

SUGAR

17310. Adulteration of sugar. U. S. v. 81 Unlabeled Bags * * *. (F. D. C. No. 30559. Sample No. 32059-L.)

LIBEL FILED: February 13, 1951, Western District of Arkansas.

ALLEGED SHIPMENT: On or about December 15, 1950, and January 2 and 15, 1951, by F. S. Herring, from Springfield, Mo.

PRODUCT: 81 unlabeled bags, containing from 50 to 95 pounds, of sugar located in the State of Arkansas at a place adjacent to Blue Eye, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of sand, dirt, rodent pellets, and miscellaneous debris.

DISPOSITION: March 27, 1951. Default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

17311. Misbranding of soybean bread, Swedish rye bread, and buffet rye bread. U. S. v. Oroweat Baking Co., Inc. Plea of nolo contendere. Fine, \$600.
(F. D. C. No. 30102. Sample Nos. 71799-K, 71806-K, 71808-K.)

INFORMATION FILED: May 8, 1951, Southern District of California, against Oroweat Baking Co., Inc., Los Angeles, Calif.

ALLEGED SHIPMENT: On or about September 22, October 26, and November 1, 1950, from the State of California into the State of Arizona.

LABEL, IN PART: "Soya Bean Bread Weight 1 Lb.," "Buffet Rye Weight 16 Oz.," and "Weight 1 lb. Swedish Rye."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the products were in package form and failed to bear labels containing an accurate statement of the quantity of the contents since the bread weighed less than the declared weight.

DISPOSITION: May 21, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$600.

17312. Misbranding of crackers. U. S. v. 199 Cases * * *. (F. D. C. No. 30427. Sample No. 21793-L.)

LIBEL FILED: February 9, 1951, District of Puerto Rico.

ALLEGED SHIPMENT: On or about January 22, 1951, by Klotz Cracker Factory, Ltd., from New Orleans, La.

PRODUCT: 199 cases, each containing 6 tins, of crackers at San Juan, P. R.

LABEL, IN PART: "Quality Sodas Excelsior Galletas Finas Especiales Net Weight 2 lbs. * * * Aproximadamente 155 Galletas."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Net Weight 2 lbs. * * * Aproximadamente 155 Galletas" were false and misleading since the product contained less than the declared weight and number of units in the package; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. Examination showed that the tins were short-weight and contained an average of 136 crackers (galletas).

DISPOSITION: February 19 and March 9, 1951. Ballester Hermanos, Inc., San Juan, P. R., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Puerto Rico representative of the Federal Security Agency.

MACARONI AND NOODLE PRODUCTS

17313. Adulteration of noodles. U. S. v. 10 Cases, etc. (F. D. C. No. 30634. Sample No. 9326-L.)

LIBEL FILED: February 17, 1951, Northern District of Indiana.

ALLEGED SHIPMENT: On or about January 13, 1951, by Mrs. Janus Noodle Co., from Chicago, Ill.

PRODUCT: Noodles. 10 cases, each containing 12 16-ounce packages, and 15 cases, each containing 24 8-ounce packages, at South Bend, Ind.

LABEL, IN PART: "Defiance Brand Kluski."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 5, 1951, Default decree of condemnation and destruction.

17314. Adulteration of spaghetti. U. S. v. 9 Cases, etc. (F. D. C. No. 30484. Sample Nos. 13151-L, 13153-L.)

LIBEL FILED: January 23, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about December 28, 1950, by Budget Pack, Inc., from Los Angeles, Calif.

PRODUCT: 12 cases, each containing 24 packages, of spaghetti at Denver, Colo.

LABEL, IN PART: (Package) "Budget Packs Americana Brand Spaghetti 12 Ozs." or "Net Weight One Pound Budget Pack Brand Italian Style Spaghetti."